REMARKS

Claims 1-20, including independent claims 1, 4, 5, 6, 7, 8, 16, 19 and 20, are presented for examination. Claims 1 and 8 have been cancelled. Claims 21-30 have been added.

Claims 1 and 4 have been objected to due to typographical errors. Claim 1 has been cancelled. The word "deices" objected to by the Examiner is not found in claim 4, line 2.

Claims 1, 4-8, 11-13, 16, 19 and 20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Troxel et al. (U.S. patent 6,253,236). Dependent claims 2, 3, 9, 10, 14, 15, 17 and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Troxel et al. in view of Morita (JP 55047713 A).

Claims 1 and 8 have been cancelled. Claims 2, 3, 9, 14, and 17 have been amended to clarify the claimed subject matter and rewritten in independent form. Claims 4, 5, 6, 7, 11-13, 16, 19 and 20 have been amended to clarify the claimed language. In addition, claims 11, 12, and 18 have been amended to change their dependency. New claims 21-30 have been added to further define the claimed invention.

It is noted that the Examiner admits that Troxel does not disclose the voice providing means for providing voice data corresponding to the counted value, as claims 2, 9 and 17 recite. The Examiner relies upon Morita for disclosing the voice providing means.

Considering the reference, Morita discloses controlling audio device in accordance with a counter value to gradually decrease the audio volume when the counter counts down.

It is well settled that in the application of a rejection under 35 U.S.C. § 103, it is incumbent upon the Examiner to factually support a conclusion of obviousness. The Examiner must provide a reason why one having ordinary skill in the art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. ***Ashland Oil, Inc.***

v. Delta Resins & Refractories, Inc., 776 F.2d 281, 227 USPQ 657 (Fed. Cir. 1985). ***In re Fine***, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); ***Stratoflex, Inc. v. Aeroquip Corp.***, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); ***In re Warner***, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967). These showings by the Examiner are an essential part of complying with the burden of presenting a *prima facie* case of obviousness. ***In re Oetiker***, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). However, the Examiner has failed to provide the requisite reasons for combining the references and thus to establish a *prima facie* case of obviousness.

It is respectfully submitted that that there is no motivation for combining Troxel with Morita, as the Examiner suggests, because the Troxel administrator cannot use the Morita audio system for granting or denying log on requests from the clients.

Moreover, even if the references were combined, the claimed invention would not result because the combination of references would not teach or suggest means for providing information in accordance with the counter value of the received information, as amended claims 2, 4-7, 9, 17, 19 and 20, require.

Further, it is submitted that neither Troxel nor Morita discloses separate counting for different groups of terminal devices, and providing information corresponding to the count value for every group, as claims 3 and 14 require. It is noted that this feature is recited in newly added claims 21, 23, 24, 29 and 30.

Claims 11, 16, 22, 25, 26 and 27 clarify the structure of the claimed counting means. It is submitted that the references of record neither teaches nor suggests the claimed structure.

In view of the foregoing, and in summary, claims 2-7, 9-30 are considered to be in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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